

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS LEON PENALOZA,

Defendant.

Case No. MJ08-587

DETENTION ORDER

Offense charged:

Conspiracy to Distribute Heroin in violation of 21 U.S.C. § 812.

Date of Detention Hearing: December 30, 2008.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is a citizen of Mexico.

(2) An immigration detainer has been placed on defendant by the United States Immigration and Customs Enforcement.

(3) Defendant has stipulated to detention, due to the immigration detainer lodged against him, but reserves the right to contest continued detention if there is a change in circumstances.

01 (4) There appear to be no conditions or combination of conditions other than
02 detention that will reasonably assure the defendant's appearance at future Court hearings.

03 IT IS THEREFORE ORDERED:

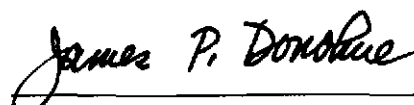
04 (1) Defendant shall be detained pending trial and committed to the custody of the
05 Attorney General for confinement in a correctional facility separate, to the extent
06 practicable, from persons awaiting or serving sentences or being held in custody
07 pending appeal;

08 (2) Defendant shall be afforded reasonable opportunity for private consultation with
09 counsel;

10 (3) On order of a court of the United States or on request of an attorney for the
11 government, the person in charge of the corrections facility in which defendant
12 is confined shall deliver the defendant to a United States Marshal for the purpose
13 of an appearance in connection with a court proceeding; and

14 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
15 counsel for the defendant, to the United States Marshal, and to the United States
16 Pretrial Services Officer.

17 DATED this 30th day of December, 2008.

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19 JAMES P. DONOHUE
20 United States Magistrate Judge
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